



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 26, 2001

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM:

Sheryl L. Walter
Acting Assistant Attorney General

SUBJECT:

Weekly Report for February 26, 2001 - March 2, 2001

THE WEEK AHEAD

Congressional Black Caucus: You are meeting with Congresswoman Eddie Bernice Johnson, Chair of the Congressional Black Caucus, on February 27 and attending the Congressional Black Caucus luncheon on February 28. (Scott-Finan)

Hanssen Espionage Case: The Senate Intelligence Committee will hold a closed hearing on February 28. You, FBI Director Freeh and CIA Director Tenet have agreed to testify. (Walter)

Recent Presidential Pardons: On February 27, Chairman Burton will meet with the Pardon Attorney, Roger Adams, and OLA representatives in preparation for the House Government Reform Committee hearing on March 1, about the recent pardons including, but not limited to, Rich and Green. The Committee has invited former White House Counsel Beth Nolan, former Assistant to the President Bruce Lindsey, former White House Chief of Staff John Podesta and former White House Counsel and attorney for Marc Rich, Jack Quinn to testify at the hearing. This week, we expect to confer with attorneys in the Southern District of New York about the documents collected by the Marshals Service and the FBI in response to the Chairman's requests and we will respond to the Committee as soon as possible after that consultation is completed.

On February 28, the House Judiciary Subcommittee on the Constitution (Chabot, Chair) will hold a hearing about the pardon power generally. They have not invited a Department witness although former Pardon Attorney Margaret Love is expected to testify.

We are continuing to provide information to the Senate Judiciary Committee, following up on their February 14th hearing. Senator Feinstein has requested information about the Department's consultation with victims in the pardon review process, both before and after our internal regulation on victim notification became effective on September 28, 2000. We are working with her Committee staff to respond to her questions. We also have continued to provide additional information about the 140 pardons issued on January 20th in response to questions from Senator Specter. We are advised by his staff that the Committee is contemplating a hearing on March 7 about either donations to Presidential libraries or the pardons of Messrs. Vignali, Braswell, Fain,

and Rich. The staff report that, in either event, they do not expect to invite any Department witness. (Burton, Thorsen)

Bankruptcy: The House Judiciary Committee finished its markup of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2001, on February 14, and voted the bill out of Committee 19-8. The Senate has scheduled a markup for Tuesday, February 27 for its version of the bill. The Administration will be sending a Statement of Administration Policy (SAP) supporting the bill, H.R. 333, to the House since they are expected to go to the floor as early as this week. (Wilson)

Plan Columbia: On February 28, the Senate Caucus on International Narcotics Control (Grassley, Chair) will hold a hearing on Plan Columbia. On March 2, the House Government Reform Committee's Subcommittee on Criminal Justice and Drug Policy (Souder, Chair) will hold a hearing on Plan Columbia. DEA Administrator Donnie R. Marshall will testify at both hearings. (Tanner)

Council of Europe - Cyber Crime Convention: On February 21, OLA and the Criminal Division's Computer Crime and Intellectual Property Section provided an informational briefing on the status of the convention to staff for Senator Schumer. A similar briefing has been requested by staff for Chairman Hatch and is tentatively scheduled for February 28.

In addition, on March 1, staff from Senate Judiciary, who have expressed interest previously, may attend this meeting between the U.S. Government and industry. (Daley)

Peru: The Senate Committee on Foreign Relations (Helms, Chair) has requested a staff briefing from this Department, the Department of State, and the Central Intelligence Agency on information sharing with Peru concerning former Peruvian President Alberto Fujimori and former intelligence chief Vladimiro Montesinos. The briefing is tentatively scheduled for March 2. (Tanner)

Asset Forfeiture: The Permanent Subcommittee on Investigations of the Senate Committee on Governmental Affairs has requested that a Department representative testify at a March 6 hearing on misuse by certain foreign banks or their criminal clients of U.S. correspondent accounts to launder money and evade taxes. We will be invited to comment on proposed legislation. The Department of the Treasury also has been requested to provide a witness. (Tanner)

SW Border - Prescription Drugs: The majority and minority staffs of the House Commerce Committee have requested separate briefings on the Controlled Substances Trafficking Prohibition Act of 1998, Public Law No. 105-357, which allows individuals to bring in up to 50 doses of controlled substances (other than Schedule I) without a prescription. Both staffs are concerned that the law is being abused by individuals making repeated trips to and from Mexico. We will attempt to coordinate among Customs, FDA/HHS, and interested components in this Department to ascertain the extent of the problem, identify potential solutions, and provide a joint briefing to both majority and minority staffs. (Tanner)

New Jersey Split: On February 27, staff from the Executive Office of U.S. Attorneys, the U.S. Attorney's Office in New Jersey, the U.S. Marshals Service, and OLA will meet with staff for Representative Christopher Smith to talk about staff and costs if the District of New Jersey is split into a Northern and Southern judicial district. (Scott-Finan)

Education Consent Decrees: Staff from the Civil Rights Division and OLA are scheduled to meet on March 1 with staff for Senators Shelby and Sessions and Congressman Reilly to talk about the consent decree that affects the schools in Clay and Randolph Counties in Alabama. (Scott-Finan)

Land Condemnation: On March 1, representatives from DOJ and the Army Corp of Engineers will brief Georgia Senators Miller and Cleland on a condemnation action between the Georgia Department of Transportation and Jasper County, South Carolina, and discuss their request that the United States be involved with this litigation. (Pearlman)

Gambling on College Athletics: Representative Gibbons, the sponsor of H.R. 641, the National Collegiate and Amateur Protection Athletic Protection Act of 2001, has requested a meeting to discuss the problems of illegal wagering on college athletics. OLA has circulated this bill and the Senate companion (S. 338) for comment. (Daley)

THE WEEK IN REVIEW

Bureau of Prisons (BOP): BOP Assistant Director for Health Services Phillip Wise and Medical Director Dr. Newton Kendig briefed staff for the House Judiciary Crime Subcommittee on organ transplant issues on February 22. Also on February 22, staff for Senators Biden, Durbin, and Harkin traveled to Cumberland, Maryland, with BOP staff to see a facility which has a drug treatment program. BOP Director Hawk Sawyer has invited the House Judiciary Crime Subcommittee Chairman and Ranking Minority Member to tour the Allenwood/Lewisburg prison. On February 28, Director Hawk Sawyer will be meeting with Congressman Lamar Smith. (Scott-Finan)

NDIC: Congressman John Murtha toured the National Drug Intelligence Center (NDIC) in Johnstown, Pennsylvania, on February 21. The Congressman has been strongly supportive of NDIC. (Scott-Finan)

H.R. 525, the Preparedness Against Domestic Terrorism Act of 2001: On February 20, OLA accompanied the FBI to meet with staff for Congressman Gilchrist, the sponsor of this bill. This staff discussion continues from last year but this meeting was considered a courtesy visit. (Daley)